

Application for hydroelectric-power scheme permissions – who you are



Guidance notes

Introduction

Please read through these guidance notes and the application form carefully before you fill the form in.

If you are not sure about anything in these guidance notes, phone us on **03708 506 506** between **8am and 6pm, Monday to Friday.**

If you have not already done so, before you fill in this application you should fill in 'Form WR315: Hydroelectric-power schemes – pre-application'. This is to make sure you are applying for the correct permissions for your scheme, and that when you fill in this application, you include all the documents we need. When you have sent us the pre-application, we will contact you to help you with your application.

These guidance notes give you information to help you fill in your application for hydroelectric-power scheme permissions.

If you fill in your application form correctly first time, we can process it quicker.

Please follow this guidance to help avoid delays in your application.

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1 Type of application

There are a number of types of licence which you can apply for. Tick one of the boxes to show what type of licence you are applying for. The different types of licence are explained below.

New full abstraction licence

Tick this box if you need a licence for a new operation to abstract more than 20 cubic metres (4,400 gallons) of water a day from groundwater or surface water, for a period of 28 days or more. If you want to abstract 20 cubic metres or less a day, you do not need an abstraction licence.

If you are applying for a new full abstraction licence you will need to fill in WR317, part B and part C.

We strongly recommend that you send us your filled-in WR317 and part B before you fill in and return part C.

For more information on how to apply for a full abstraction licence, see the guidance notes on part B.

New temporary licence

Tick this box if you need a licence to abstract water for a period of less than 28 days. Do not tick this box if you:

- plan to abstract water for 28 days or more (you will need a full abstraction licence); or
- want to impound water (you will need an impoundment licence).

Please note a temporary licence is a ‘one off’ abstraction that does not form part of a continuous operation.

For more information on how to apply for a temporary licence, see guidance notes on part B and C.

New transfer licence

Tick this box if you need a licence to abstract water from one source, over a period of 28 days or more, to transfer it direct to another source without using it.

If you are applying for a new transfer licence you will need to fill in WR317, part B and part C. We strongly recommend that you send us your filled-in WR317 and part B before you fill in and return part C.

For more information on how to apply for a transfer abstraction licence, see the guidance notes on part B.

New impoundment licence

Tick this box if you need a licence for impounding works, such as a dam or weir, to impound, obstruct or impede the flow of inland water.

If you are applying for a new impoundment licence you will need to fill in WR317 and part D. We strongly recommend that you send us WR317 and part D as a ‘pre-application’.

For more information on how to apply for an impoundment licence, see the guidance notes on part D.

Apply for a replacement licence when the existing expires

Tick this box if you want to replace a licence that is due to end in the next 18 months. You cannot apply to replace your licence if there is more than 18 months before the expiry date.

Unless we have agreed otherwise with you, if you do not apply to replace your licence by at least three months before the expiry date, we will not replace your licence. Instead we will treat your application as an application for a new licence. This may result in us refusing to give you a licence or your new licence containing stricter terms.

If you are applying to replace an existing licence without any changes, you will need to fill in WR317, part B and part C.

For more information on how to apply to replace an existing licence without any changes, see the guidance notes on part B.

Variation to an existing abstraction licence

Tick this box if you want to make a change to an existing abstraction licence. Changes include:

- changing the point of abstraction
- changing what you will use the water for
- changing when you will use the water
- increasing the quantity of water you abstract

If you are applying to make changes to an existing abstraction licence you will need to fill in WR317, part B and part C.

For more information on how to apply to make a change to an existing abstraction licence, see the guidance notes on part B.

Changes to an existing impoundment licence

Tick this box if you want to make a change to an existing impoundment licence. An example of a change would be an alteration to the structure.

If you are applying to make changes to an existing impoundment licence you will need to fill in WR317 and part D.

For more information on how to apply to make a change to an existing impoundment licence, see the guidance notes on part D.

For information on charging for both pre-application and formal go to <https://www.gov.uk/guidance/environmental-agency-fees-and-charges>

Environmental permit for flood risk activities

Fill in Form EPB: Application for an environmental permit – Part B10 – Flood Risk Activities.

If you plan to build any part of your scheme in, over or under a main river, or close to the bank of a main river, you must apply for an environmental permit for flood risk activities. Under the Land Drainage Act 1991, you may need a Ordinary Watercourse Consent from the ‘Lead Local Flood Authority’ for any proposals that affect an ordinary watercourse.

Tick this box if you need a permit for a flood risk activity.

For more information on how to apply, see the guidance in ‘Form guidance EPB: Application for an environmental permit – Part B10 – Flood Risk Activity’.

Fish Pass Approval

Fill in form **FP 002**.

Tick this box if as part of your hydroelectric-power scheme you need fish-pass facilities designed to allow fish to swim upstream. If fish-pass facilities are needed on rivers where there are salmon, sea trout and eels, the design and dimensions of the pass must be approved by us.

To grant Fish Pass Approval we will need a copy of the design drawings of your proposed fish pass. At this stage, your application does not rely on you getting Fish Pass Approval, but it does depend on your plans for a fish pass being compatible with approved status.

We will assess your plans based on the information you provide in '**Form FP 002: Application for fish pass approval**'. So, even if you do not yet have all the design drawings needed for you to get Fish Pass Approval, you still need to fill in the form with as much detail as you can. This will also apply to fish passes designed for species other than salmon, sea trout and eels.

For more information on how to apply for Fish Pass Approval, see '**Form Guidance FP 003: Application for fish pass approval – guidance notes**'.

2 About you, the applicant

Please tick one box to indicate the type of applicant you are.

Then:

- if you are applying as a company, go to section 3;
- if you are applying as an individual, go to section 4;
- if you are applying as a group of individuals, go to section 5; or
- if you are applying as a public body, go to section 6.

3 Applications from companies

Fill in this section if you would like to apply for hydroelectric-power scheme permissions as a registered company.

To apply as a company, you must be a registered company formally registered with Companies House. (Please see www.companieshouse.gov.uk for more information.) Any hydroelectric-power scheme permissions you get will be in the company name registered with Companies House.

You will need to give us your company name, as registered with Companies House and your company registration number.

Once you have filled in all of this section, go to section 7.

4 Applications from an individual

Fill in this section if you would like to apply as an individual.

Give us your full name. The name you give will be the name on any hydroelectric-power permissions we grant.

Once you have filled in all of this section, go to section 7.

5 Applications from groups of individuals

Fill in this section if you would like to apply as a charity, group of individuals, club or partnership.

At 5.1, tick the relevant box to tell us whether you are a charity, group of individuals, club or partnership.

At 5.2, give us the name of your group. The name you give will be the name on any hydroelectric-power scheme permissions we grant. If you are a limited liability partnership, please give the full name.

At 5.3, give us the full name, position, full address and contact details of your group's main representative.

At 5.4, give the full name, position, full address and contact details of a second representative of the group.

If there are further people in the group, give the other members' details on separate sheets of paper and attach them to this application form.

Once you have filled in all of this section, go to section 7.

6 Applications from public bodies

Fill in this section if you would like to apply as a public body such as a county council or an NHS trust.

At 6.1, give us the full name of the public body. The name you give will be the name on any hydroelectric-power scheme permissions we grant.

At 6.2, specify what type of public body you are.

Once you have filled in all parts of section 6, go to section 7.

7 Your address

All applicants must fill in this section. You must give us your full UK address. The address you give here will be the address your hydroelectric-power scheme permissions will be registered to and will be shown on any hydroelectric-power scheme permissions we grant.

- If you are applying as a company, fill in 7.1. Give your office address registered with Companies House. If this address is outside the UK, give the address of your main UK office in 7.2. We will not be able to process your application if you do not give us a UK address.
- If you are applying as an individual, a group of individuals or a public body, go straight to 7.2 and give the address of your main office in the UK. We will not be able to process your application if you do not give us a UK address.

8 Contact details

8.1 Who we can contact about your application

All applicants must fill in this section. You must fill in all parts of section 8.

You need to tell us who we should contact about your application for hydroelectric-power scheme permissions.

You can nominate someone other than the person named on any hydroelectric-power scheme permissions (for example, a consultant or agent).

You need to give us your or the relevant person's full name, address and contact details.

8.2 Who we can contact about your operation

All applicants must fill in this section.

- If the person you want us to contact about your work is the person named in 8.1, put a tick in the 'Same as 8.1' box and go to 8.3.
- If you want to nominate someone else for us to contact about your work, give their details in this part 8.2.

8.3 Who we can contact about your abstraction licence returns

All applicants applying for an abstraction licence as part of their hydroelectric-power scheme must fill in this section. If you are not applying for an abstraction licence, go to section 10.

Abstraction returns are where a holder of an abstraction licence has to measure the volumes of water they take and report these volumes to us at a certain time each year.

- If the person you want us to contact is the person named in 8.1, tick the 'Same as 8.1' box and go to 8.4.

- If the person you want us to contact is the person named in 8.2, tick the ‘Same as 8.2’ box and go to 8.4.
- If you want to nominate someone else for us to contact, give their details.

8.4 Who should we contact about bills or invoices? (This will include cost incurred with your application for example advertising, external consultation and conservation assessment)

All applicants who are applying for an abstraction licence as part of their hydroelectric-power scheme must fill in this section.

- If the person you want us to contact is the person named in 8.1, tick the ‘Same as in 8.1’ box and go to section 9.
- If the person you want us to contact is the person named in 8.2, tick the ‘Same as in 8.2’ box and go to section 9.
- If the person you want us to contact is the person named in 8.3, tick the ‘Same as in 8.3’ box and go to section 9.
- If you want to nominate someone else for us to contact, give their details.

9 Environmental Impact Assessments and Environmental Reports

Hydroelectric-power schemes may have an effect on the environment. If you are applying for planning permission for the scheme, depending on the size and location of your hydroelectric-power scheme, and the possible effects on the environment, your local planning authority may require an Environmental Impact Assessment (EIA) to assess the scheme’s effect on the environment. Contact your local planning authority to discuss this.

You must give your local planning authority the results of the EIA in an Environmental Statement sent with your planning application. The statement will set out:

- the full effects on the environment; and
- proposed measures to reduce those effects.

If you do not need to carry out an Environmental Impact Assessment, we may still ask you to prepare an Environmental Report, including all relevant environmental information. If you have not talked to us about whether or not you need to provide an Environmental Report, phone us on 03708 506 506 before you fill in the rest of this section. Our lines are open between 8am and 6pm Monday to Friday.

10 Checklist

Tick the relevant boxes in this section to tell us what documents you are sending with your application.

11 Fees

To find out the pre application fee for your abstraction or impounding licence, see the <https://www.gov.uk/government/publications/water-resources-licences-when-and-how-you-are-charged/water-resources-charges-guidance>.

12 General Data Protection Regulations Privacy notice: how we use your personal data

We are the Environment Agency and we run the water abstraction licence and impoundment licence service. We are the data controller. A data controller determines how and why personal data (personal information) is processed.

Our Personal Information Charter (<http://www.gov.uk/government/organisations/environment-agency/about/personal-information-charter>) explains how we deal with your personal information. Go to GOV.UK and search 'Environment Agency personal information charter'.

Why we are collecting personal data and what we will do with it

We the Environment Agency are the data controller. We are collecting and processing personal data to:

- process your abstraction or impounding licence applications including pre-application
- advertise your application, if required
- make your application available to the public and organisations that we have to notify, as required by the Water Resources Act 1991
- keep public registers up to date
- charge you for your abstraction or impounding licence as set out by our charges scheme
- process your records of abstraction (returns)
- make sure you keep to the conditions of your abstraction or impounding licence
- contact you about managing your abstraction or impounding licence or applying for other licences you may need
- contact you to gather feedback to improve the level of service that we provide
- register you to use our online water resources service

Processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the data controller. This is to undertake our responsibilities for managing water resources in England through our abstraction and impoundment licensing system.

We do not use your personal data to make an automated decision or for automated profiling.

Sharing and transferring personal data

We will not share your personal data with anyone outside of the Environment Agency without your consent unless we are allowed to do so by law. But we may pass your data on to our agents or representatives to process it for us.

We transfer your data through servers in the UK and Amazon Web Service (AWS) servers in Ireland. We store the data on servers in the UK and AWS servers in Ireland. The data will not be transferred outside the European Economic Area.

How long we hold personal data for

We will keep your personal data as required by law to maintain the Water Abstraction and Impounding Licence public register with details of all applications and our decisions on those applications.

We will keep other personal data for 7 years once the abstraction or impoundment licence ceases to have effect. After 7 years we will review retention in line with our standard information retention policy.

We will keep your personal data required to access the 'Manage your water abstraction or impoundment licence' service for as long as you require access to the service.

Contact details

Our Data Protection Officer (DPO) is responsible for independent advice and monitoring of the Environment Agency's use of personal information.

If you have any concerns or queries about how we process personal data, or if you would like to make a complaint or request relating to data protection, please contact our DPO:

Data Protection Officer, Environment Agency, Horizon House, Deanery Road, Bristol, BS1 5AH

Email: dataprotection@environment-agency.gov.uk

You can find out about your personal data rights from the Information Commissioner's Office (ICO) at www.ico.org.uk. The ICO regulate the data protection legislation. You have the right to lodge a complaint with them at any time.

13 Where to send the form

Please send this form and any supporting documents to:

Permitting and Support Centre
Water Resources Team
Quadrant 2
99 Parkway Avenue
Parkway Business Park
Sheffield
S9 4WF

Or email to:

psc-waterresources@environment-agency.gov.uk

If you are not sure about anything in this form, phone us on 03708 506 506.

14 Next steps

We will check this application and contact you if we have any questions. If we approve this application, we will send you the licence. We will contact you once this is done.

If you are happy with our service, please tell us. It helps us to identify good practice and encourages our staff. If you're not happy with our service, or you would like us to review a decision we have made, please let us know.

More information on how to do this is available from our complaints and appeals procedures (www.gov.uk/government/organisations/environment-agency/about/complaints-procedure)

